

Judge Buchwald
ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

GUSTAVO ESTRADA RODRIGUEZ,
a/k/a "Goose,"

Defendant.

07 CRIM 712
INDICTMENT

07 Cr.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED **AUG 01 2007**

COUNT ONE

The Grand Jury charges:

1. From at least in or about March 2006, through and including in or about April 2006, in the Southern District of New York and elsewhere, GUSTAVO ESTRADA RODRIGUEZ, a/k/a "Goose," the defendant, and others known and unknown, unlawfully, intentionally and knowingly, did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that GUSTAVO ESTRADA RODRIGUEZ, a/k/a "Goose," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A).

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about March 21, 2006, GUSTAVO ESTRADA RODRIGUEZ, a/k/a "Goose," the defendant, spoke by telephone with a co-conspirator not named as a defendant herein ("CC-1") regarding the delivery of 82 kilograms of cocaine.

b. On or about March 21, 2006, another co-conspirator not named as a defendant herein ("CC-2") delivered approximately 82 kilograms of cocaine to a third co-conspirator not named as a defendant herein ("CC-3").

(Title 21, United States Code, Section 846.)

Forfeiture Allegations as to Count One

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, GUSTAVO ESTRADA RODRIGUEZ, a/k/a "Goose," the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation

alleged in Count One of the Indictment.

Substitute Asset Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of GUSTAVO ESTRADA RODRIGUEZ, a/k/a "Goose," the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;


c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value;
or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of GUSTAVO ESTRADA RODRIGUEZ, a/k/a "Goose," the defendant, up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(Title 21, United States Code, Section 846)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL



Foreperson.

8/1/07 Filed Indictment Under Seal A/W issued.

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Pitman
U.S.M.S.